

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

FILED

APR - 3 2006

U. S. DISTRICT COURT
E. DISTRICT OF MO.

GREATER ST. LOUIS CONSTRUCTION)	
LABORERS WELFARE FUND, an employee)	
benefit plan, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 4:06CV00027 HEA
)	
AGR CONSTRUCTION COMPANY,)	
a Missouri corporation,)	
)	
Defendant.)	

ORDER

This is an action to collect delinquent fringe benefit contributions pursuant to Section 301 of the Labor Management Relations Act of 1947, as amended, 29 U.S.C. §185, and pursuant to Section 502 of the Employee Retirement Income Security Act of 1974, as amended, 29 U.S.C. § 1132.

Defendant AGR Construction Company was served with the summons and has not filed an answer or otherwise entered an appearance. AGR Construction Company is a Missouri corporation.

Pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure, Plaintiffs have moved this Court for an order compelling Defendant AGR Construction Company to submit to a financial examination so that Plaintiffs can determine the amounts allegedly owed.


Plaintiffs have established that Defendant AGR Construction Company is party to a collective bargaining agreement with Laborers Local Unions 42-53-110. This agreement requires Defendant to submit contributions to the Laborers Funds, and authorizes Plaintiffs to examine the financial records of Defendant AGR Construction Company to ascertain whether the

required contributions were made. The only way in which Plaintiffs can determine the amount owed is through such financial examination.

WHEREFORE, Defendant AGR Construction Company is hereby ordered to provide to Plaintiffs within thirty (30) days of the date of this Order all of its books, ledgers, payroll records, cash disbursement ledgers, bank statements and other documents reflecting or pertaining to all hours worked by and wages paid to Defendant's employees since July 2004.

The Court reserves jurisdiction to make such further orders and grant such additional relief, including but not limited to the entry of partial and final judgments, as it deems appropriate.

SO ORDERED:


UNITED STATES DISTRICT JUDGE

DATE: 4-3-06